

ATTACHMENT J-2

**RESPONSE LETTERS ON NOTICE OF PREPARATION (NOP),
RESPONSE LETTERS ON SUPPLEMENTAL NOP,
RESPONSE LETTERS ON NOTICE OF INTENT (NOI)**

RESPONSES TO THE 2004 NOTICE OF INTENT

This attachment contains the following responses to the 2004 Notice of Intent:

- Natural Resources Conservation Service (December 2, 2004, 2 pages)
- United States Environmental Protection Agency (December 20, 2004, 5 pages)
- United States Department of the Interior Fish and Wildlife Service (January 7, 2005, 3 pages)

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Natural Resources Conservation Service
950 N. Ramona Blvd., Suite 6
San Jacinto, Ca. 92582

951-654-7139
FAX 951-654-5334

December 2, 2004

RECEIVED
DEC 03 2004
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Ms. Cathy Bechtel
Riverside County Transportation Department
4080 Lemon Street, 3rd Floor
P.O. Box 12008
Riverside, Ca. 92502-2208

Subject: Draft EIR/EIS for the Mid County Parkway Corridor Project

Dear Ms. Bechtel,

Please include the following issues in your EIR/EIS report for the Mid County Parkway Corridor Project:

1. The east and west sections of this corridor are proposed for scenic highway status. Include designs that will enhance the scenic highway status for these two sections of the proposed Mid County Parkway Corridor.
2. There is a designated Class I Bike Path along this highway. Since you are in the design stage for this corridor, it is a great opportunity to increase the easement width to include this bike path along the entire length of the roadway. The bike path could be separated from the highway by both structural and vegetative buffers. Access to the bike path could be incorporated at regular intervals to increase public use. The landscaped bike path would also enhance the scenic highway status mentioned above. Include designs that will incorporate this Class I Bike Path along the entire corridor.
3. There is a proposed wildlife corridor between the San Jacinto Wildlife Area and the Lakeview Mountains. To have this corridor become functional, designs should be included to allow wildlife to pass under the highway. This corridor opening will need to be large enough to allow all wildlife to easily and safely pass under the highway (a minimum of 6 to 8 feet high). This wildlife corridor could also function as a storm water runoff facility. Fencing should be used to limit wildlife access to the highway and direct

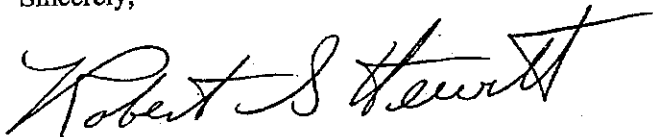
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wildlife into the corridor opening. The best location for this corridor (where the corridor is closest to the Lakeview Mountains) might be in the area of the intersection of Bridge Street and Ramona Expressway. Mitigation money might be used to buy an easement to connect this wildlife corridor to the Lakeview Mountains to the south and the San Jacinto Wildlife Area to the north. One or more functional corridors should also be included in the designs on the western end of the project (within the Stephen's Kangaroo Rat habitat Preserve) if the alternative south of Lake Mathews is used.

4. Limit the loss of Prime Farmland, as specified in the General Plan, especially in the eastern end of the project. Mitigation for this loss can be in the form of preserving additional Prime Farmland on the north side of the highway, which would also enhance the scenic highway status.
5. Limit the loss of Willow-Domino-Traver soils as recommended in the Lakeview/Nuevo section of the General Plan (General Plan, Lakeview/Nuevo Area Plan, page 45, item # LNAP 13.4). They can be found along several existing locations of the Ramona Expressway. These soils represent the potential for restoring a significant habitat that should be preserved if at all possible.
6. At the eastern end of the corridor project, limit the loss of land within the flood plain. This flood plain land also supplies critical habitat that needs to be preserved, as well as acting as a flood control facility during peak storm events.

Sincerely,

A handwritten signature in cursive script, reading "Robert S. Hewitt". The signature is written in dark ink and includes a stylized, elongated final stroke.

Robert S. Hewitt
District Conservationist, San Jacinto



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

December 20, 2004

Tay Dam
Senior Transportation Engineer
Federal Highway Administration--Los Angeles Metro Office
888 S. Figueroa Street, Suite 1850
Los Angeles, CA 90017

Dear Mr. Dam:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published on November 22, 2004, requesting comments on the Federal Highway Administration's (FHWA) decision to prepare a Draft Environmental Impact Statement (DEIS) for the Mid County Parkway (MCP) project in Riverside County, California. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

EPA has been a participant in the Community and Environmental Transportation Acceptability Process (CETAP), Riverside County's long-term transportation planning project, since February 2000. Pre-scoping for the Mid County Parkway project was initiated in June 2003. As part of the NEPA/Clean Water Act Section 404 Integration Process for Surface Transportation Projects Memorandum of Understanding (NEPA/404 MOU), EPA has participated in the development of the Purpose and Need, Analysis of Alternatives, and Evaluation Criteria for the MCP project. Pursuant to the NEPA/404 MOU, EPA concurred on the Purpose and Need for the Cajalco Ramona Corridor project, encompassing the MCP, in January 2004 and gave preliminary concurrence on the Range of Alignment Alternatives for analysis in the DEIS in November 2004. Presently, EPA is working with FHWA, California Department of Transportation (Caltrans) and the local sponsors to identify Evaluation Criteria, as described in the NEPA/404 MOU.

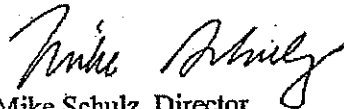
EPA's concerns with respect to the proposed Mid County Parkway project, as described in the enclosed detailed comments, focus on: (1) Water Resources, (2) Air Quality, (3) Environmental Justice and Community Involvement, (4) Cumulative Impact Analysis, (5) Threatened and Endangered Species Habitat, (6) Cultural Resources, and (7) Noise.

We appreciate the opportunity to provide comments on the preparation of the DEIS, and look forward to continued participation in this process. When the DEIS is released for public

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review, please send two copies to the address above (mail code CED-2). If you have any questions, please contact Matthew Lakin in the Environmental Review Office at (415) 972-3851 or Lakin.Matthew@epa.gov.

Sincerely,



Mike Schulz, Director
Southern California Field Office

Enclosure: EPA's Detailed Comments

cc: Susan Meyer, Army Corps of Engineers, Los Angeles
Doreen Stadtlander, U.S. Fish and Wildlife Service, Carlsbad
Cathy Bechtel, Riverside County Transportation Commission
Marie Petry, California Department of Transportation

EPA SCOPING COMMENTS FOR THE PROPOSED MID COUNTY PARKWAY PROJECT,
RIVERSIDE COUNTY, CALIFORNIA, DECEMBER 20, 2004

Water Resources

This project will require an Individual Section 404 Permit from the U.S. Army Corps of Engineers (Corps) and identification of the least environmentally damaging practicable alternative, pursuant to Clean Water Act Section 401(b)(1) guidelines (40 CFR 230). Therefore, the Draft Environmental Impact Statement (DEIS) should disclose the acreage of waters of the United States that occur within the project study area, including permanent and intermittent streams, wetlands, lagoons, and other waterways and floodplains. EPA recommends including a functional assessment of the waters occurring within the project corridor in order to better understand the potential impacts that the proposed project will have on the surrounding ecosystem.

We urge the Federal Highway Administration, in planning alternative designs for the project, to avoid and minimize both direct and indirect impacts to waters of the United States. Methods proposed for avoiding and minimizing impacts to waters of the U.S. should be included in the DEIS. The document should quantify the direct, indirect, and cumulative impacts to waters that cannot be avoided. The cumulative impact analysis should disclose these impacts in relation to the historical loss of wetlands in the project area.

The DEIS should disclose all waterways in the proposed study area that are listed as impaired under Section 303(d) of the Clean Water Act. The DEIS should identify methods to limit the further impairment of these waters and address mitigation as appropriate. The DEIS should also address techniques proposed for minimizing surface water contamination due to increased runoff from additional highway surfaces. In addition, new structures associated with the proposed action may affect the hydrological flow within floodplains. The DEIS should address impacts to floodplains and discuss methods to avoid and minimize floodplain impacts.

Air Quality

Western Riverside County is a non-attainment area for particulate matter (PM_{2.5}, PM₁₀), ozone (O₃), and carbon monoxide (CO). The DEIS should present the existing air quality conditions in western Riverside County and discuss how these conditions may be affected by this project in the future. The DEIS should indicate whether the proposed CETAP corridor has been included in the most recent conforming Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP).

The DEIS should include a thorough analysis of impacts from the construction and operation of the proposed alternatives. It should include estimates of emissions for all criteria pollutants, including those applicable to the federal 8-hour ozone and annual PM_{2.5} National Ambient Air Quality Standards, and six priority air toxics – benzene, formaldehyde, acetaldehyde, 1,3-butadiene, acrolein, and diesel particulate matter (DPM) – from both on-road sources and construction equipment.

EPA also recommends that the DEIS disclose the available information about the health risks associated with vehicle emissions and how the proposed project will affect current emission levels. EPA recommends that potential human health impacts, specifically near-roadway or "hotspot" impacts, be considered when making build and design decisions. Specifically, alternatives assessed in the EIS should examine proximity to residences and sensitive population locations, such as schools and hospitals. Also, when considering an interchange location or design, efforts should be made to avoid close proximity to existing or anticipated future homes or sensitive receptors.

EPA recommends including a Construction Emissions Mitigation Plan for fugitive dust and DPM in the DEIS. EPA recommends the following mitigation measures be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of PM₁₀ and other toxics from construction-related activities:

- Establish an activity schedule designed to minimize traffic congestion around the construction site,
- Use EPA-registered particulate traps and other appropriate controls to reduce emissions of diesel particulate matter and other pollutants at the construction site,
- Locate construction equipment and staging zones away from sensitive receptors such as children and the elderly as well as away from fresh air intakes to buildings and air conditioners,
- Use low sulfur fuel (diesel with 15 parts per million or less),
- Reduce use, trips, and unnecessary idling from heavy equipment,
- Lease newer and cleaner equipment (1996 or newer), and
- Periodically inspect construction sites to ensure construction equipment is properly maintained at all times.

Environmental Justice and Community Involvement

The DEIS should identify whether the proposed alternatives may disproportionately and adversely affect low income or minority populations in the surrounding area and should provide appropriate mitigation measures for any adverse impacts. Executive Order 12898 addresses Environmental Justice in minority and low income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process (<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf>). Community involvement activities supporting the Mid County Parkway project should include opportunities for incorporating public input, especially in Environmental Justice communities, into the proposed project design.

Cumulative Impacts Analysis

Cumulative impacts analyses examine "the impact of the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person

undertakes such other actions" (40 CFR Part 1508.7). The DEIS should identify cumulative impacts study areas relative to the resources of concern and should identify a baseline from which impacts are measured. The analysis should disclose the past, present, and reasonably foreseeable impacts on resources of concern from transportation and non-transportation activities and should analyze the rate of loss and magnitude (size and relative importance) of impacts to resources. The cumulative impact analysis for Mid County Parkway should incorporate the area and resources protected by Habitat Conservation Plans within the Study Area, including the Multiple Species Habitat Conservation Plan (MSHCP), affected city plans, and any other restoration efforts in the project area.

Threatened and Endangered Species and Habitat

Southern California, including Riverside County and the project area, has some of the richest species biodiversity in the United States. The DEIS should identify all petitioned and listed threatened and endangered species and critical habitat within the project area, and should assess which species and critical habitats might be directly or indirectly affected by each alternative. Efforts should be taken to avoid and/or minimize impacts to these habitats and their associated species and preserves, parks, and restoration and habitat management areas designated as conservation areas in the MSHCP and other local planning efforts. The DEIS should analyze the potential direct, indirect, and cumulative impacts of the proposed project (construction and operation) on preserves and conservation projects in the area. The DEIS should also describe how the alternatives for the proposed project are consistent with the Habitat Conservation Plans in the study area, including the MSHCP. In accordance with Executive Order 13112, EPA recommends that the DEIS identify proposed methods to minimize the spread of invasive species and utilize native plant and tree species where re-vegetation is planned.

Cultural Resources

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to take into account the effects of their actions on historic properties. Potential impacts to historical, archaeological, and cultural resources should be assessed in the DEIS and coordinated with affected Tribes and other interested parties. The methodology utilized for determining the potential impacts to cultural and historic resources should be clearly documented. The DEIS should also address what mitigation techniques will be taken should sensitive resources be discovered, including recording or removal of materials, and/or changes in project design.

Noise

The DEIS should address the potential noise impact to residents, businesses, and wildlife resulting from the increase in traffic and change in traffic locations due to the proposed project. The DEIS should identify measures to mitigate noise impacts associated with the project, including sound walls, as appropriate. Methods to incorporate effective public participation into the NEPA process should be fully described and implemented early to address public concerns specific to noise-related impacts.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009



In Reply Refer To:
FWS-WRIV-4214.3

Mr. Tay Dam
Senior Transportation Engineer
Federal Highway Administration
Los Angeles Metro Office
201 N. Figueroa Street, Suite 1460
Los Angeles, California 90012

RECEIVED
JAN 14 2005
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

JAN 07 2005

Re: Notice of Intent to Prepare an Environmental Impact Statement for the Community and Environmental Transportation Accessibility Process Mid County Parkway Project, Riverside County, California (ER 04/907)

Dear Mr. Dam:

We have reviewed the subject notice of intent (NOI) dated November 22, 2004, to prepare a draft environmental impact statement (DEIS) for the Mid County Parkway Project. The proposed action would involve the construction of a major transportation facility to meet current and projected travel demand to the year 2030. The proposed roadway would extend from State Route 79 to Interstate 15 to accommodate regional east-west movement between and through the cities of San Jacinto, Perris, and Corona. Eight alternatives are under consideration including a "No Build" alternative.

Excepting the "No Build" alternative, the alignments cross the Lake Mathews State Ecological Reserve and two designated conservation areas for two habitat conservation plans (HCPs), the Lake Mathews Multiple Species Habitat Conservation Plan, Stephens' Kangaroo Rat Habitat Conservation Plan. As a result, we ultimately will need to analyze the effects of this project on these two HCPs, including effects to the mitigation areas that have been used as credits under these plans. The specific information requested below will not only help in our analysis of this project under section 7 of the Endangered Species Act of 1973, but will assist in our analysis of the effects of the project on the two HCPs.

The proposed project is located within the plan area for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). We recommend the DEIS assess the alternatives relative to the specific criteria identified in the MSHCP including, but not limited to, the Cajalco Road Realignment and Widening criteria (MSHCP pages 7-11 through 7-14), cell conservation criteria, Protection of Narrow Endemic Plant Species Policy, Additional Survey Needs and Procedures, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool policy, Guidelines for Siting and Design of Planned Road in the

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Criteria Area and Public/Quasi-Public Lands (MSHCP Section 7.5.1), Guidelines for Construction of Wildlife Crossings (MSHCP Section 7.5.2), Construction Guidelines (MSHCP Section 7.5.3), and Best Management Practices (Appendix C of the MSHCP).

In addition, we recommend the DEIS address the effects of the alternatives on the MSHCP reserve configuration and function. The DEIS should address project related effects to areas identified in the MSHCP as Existing Core C, proposed Extension of Core Area 2 (lands that would extend the Lake Mathews Reserve), proposed Constrained Linkage 4 (Temescal Wash east of Lake Mathews), Existing Core H (San Jacinto Wildlife Area/Lake Perris State Recreation Area), Criteria Area that will assemble lands along the San Jacinto River to expand the San Jacinto Wildlife Area/Lake Perris State Recreation Area (*e.g.*, proposed Extension of Existing Core 4 in the MSHCP), and lands proposed to assemble Constrained Linkage 20. Finally, because the goal of the MSHCP is to build upon the existing Lake Mathews/Estelle Mountain Reserve lands so that proposed Core 1 is contiguous with Existing Core C and that these areas together will function in providing conservation for species covered under the MSHCP (MSHCP Section 3, p. 3-61), we recommend that the DEIS address this issue.

In addition, we request the DEIS contain the following specific information:

- 1) A complete discussion of the purpose and need for the project.
- 2) A complete description of the proposed project alternatives, including all practicable means that have been considered to reduce project impacts to threatened and endangered species, wetland areas, coastal sage scrub, and other sensitive habitat types, fish and wildlife resources, and existing conservation lands.
- 3) Specific acreage and descriptions of the types of wetland, coastal sage scrub, and other sensitive habitats that will or may be directly or indirectly affected by the project alternatives.
- 4) Descriptions of the biological resources associated with each habitat type. These descriptions should include qualitative and quantitative assessments of the resources present on the site of the proposed project alternatives.
- 5) An assessment of direct, indirect, and cumulative project impacts to fish and wildlife and associated habitats. Such effects include an analysis of habitat fragmentation on reserve lands. All facets of the project should be assessed including ancillary facilities or needs (*i.e.* interchanges, bridge widening, water quality basins) that may be required for specific alternatives.
- 6) Provide an analysis of the effects to wildlife species from new road construction and roadway expansion including direct mortality, increased traffic frequency and speed, and the indirect alteration of habitat quality in adjacent areas.

Mr. Tay Dam

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7) An analysis of the effects of the project on the hydrology of the San Jacinto River, including all wetland communities within the sphere of influence of the project. Of particular importance is an analysis of the potential impacts associated bridge widening across the San Jacinto River.

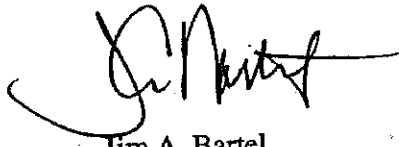
8) A thorough analysis (qualitative and quantitative) of the cumulative impacts to the San Jacinto River.

9) A list of Federal proposed or listed species and critical habitat, State-listed species, and locally sensitive species that are on or near the project site. A detailed discussion of these species, including information pertaining to their local status and distribution, should be included in this report. The anticipated or real impacts of the project on these species should be addressed fully. Such impacts include effects of the project on species addressed in the habitat conservation plans.

10) Specific mitigation plans to fully offset project-related impacts including direct and indirect habitat loss, degradation, or modification. Adverse project-related impacts should be mitigated through the preservation and/or restoration of impacted habitat types.

We appreciate the opportunity to comment on the referenced NOI. If you should have any questions pertaining to these comments, please contact Doreen Stadtlander of this office at (760) 431-9440, extension 223.

Sincerely,



Jim A. Bartel
Field Supervisor

cc:

Susan Meyers, ACOE, Los Angeles, CA
Matt Lakin, EPA, San Francisco, CA
Mike Shultz, EPA, Los Angeles, CA
Cathy Bechtel, RCTC, Riverside, CA

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